

107TH CONGRESS
1ST SESSION

S. 1120

To amend the Foreign Assistance Act of 1961 to increase the authorization of appropriations for fiscal year 2002, and to authorize appropriations for fiscal year 2003, to combat HIV and AIDS, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2001

Mrs. BOXER (for herself and Mr. SMITH of Oregon) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Foreign Assistance Act of 1961 to increase the authorization of appropriations for fiscal year 2002, and to authorize appropriations for fiscal year 2003, to combat HIV and AIDS, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Global AIDS Research
5 and Relief Act of 2001”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) AIDS.—The term “AIDS” means the ac-
2 quired immune deficiency syndrome.

3 (2) ASSOCIATION.—The term “Association”
4 means the International Development Association.

5 (3) BANK.—The term “Bank” or “World
6 Bank” means the International Bank for Recon-
7 struction and Development.

8 (4) HIV.—The term “HIV” means the human
9 immunodeficiency virus, the pathogen, which causes
10 AIDS.

11 (5) HIV/AIDS.—The term “HIV/AIDS”
12 means, with respect to an individual, an individual
13 who is infected with HIV or living with AIDS.

14 **SEC. 3. FINDINGS AND PURPOSES.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) According to the Surgeon General of the
18 United States, the epidemic of human immuno-
19 deficiency virus/acquired immune deficiency syn-
20 drome (HIV/AIDS) will soon become the worst epi-
21 demic of infectious disease in recorded history,
22 eclipsing both the bubonic plague of the 1300s and
23 the influenza epidemic of 1918–1919 which killed
24 more than 20,000,000 people worldwide.

1 (2) According to the Joint United Nations Pro-
2 gramme on HIV/AIDS (UNAIDS), more than
3 36,100,000 people in the world today are living with
4 HIV/AIDS, of which approximately 95 percent live
5 in the developing world.

6 (3) UNAIDS data shows that among children
7 age 15 and under worldwide, more than 4,300,000
8 have died from AIDS, more than 1,400,000 are liv-
9 ing with the disease; and in 1 year alone—2000—
10 an estimated 600,000 became infected, of which over
11 90 percent were babies born to HIV-positive women.

12 (4) Although sub-Saharan Africa has only 10
13 percent of the world's population, it is home to more
14 than 25,300,000—roughly 70 percent—of the
15 world's HIV/AIDS cases.

16 (5) Worldwide, there have already been an esti-
17 mated 21,800,000 deaths because of HIV/AIDS, of
18 which more than 80 percent occurred in sub-Saha-
19 ran Africa.

20 (6) According to UNAIDS, by the end of 1999,
21 13,200,000 children have lost at least one parent to
22 AIDS, including 12,100,000 children in sub-Saharan
23 Africa, and are thus considered AIDS orphans.

24 (7) At current infection and growth rates for
25 HIV/AIDS, the National Intelligence Council esti-

1 mates that the number of AIDS orphans worldwide
2 will increase dramatically, potentially increasing
3 threefold or more in the next 10 years, contributing
4 to economic decay, social fragmentation, and polit-
5 ical destabilization in already volatile and strained
6 societies. Children without care or hope are often
7 drawn into prostitution, crime, substance abuse, or
8 child soldiery.

9 (8) The discovery of a relatively simple and in-
10 expensive means of interrupting the transmission of
11 HIV from an infected mother to the unborn child—
12 namely with nevirapine (NVP), which costs \$4 a
13 tablet—has created a great opportunity for an un-
14 precedented partnership between the United States
15 Government and the governments of Asian, African,
16 and Latin American countries to reduce mother-to-
17 child transmission (also known as “vertical trans-
18 mission”) of HIV.

19 (9) According to UNAIDS, if implemented this
20 strategy will decrease the proportion of orphans that
21 are HIV-infected and decrease infant and child mor-
22 tality rates in these developing regions.

23 (10) A mother-to-child antiretroviral drug strat-
24 egy can be a force for social change, providing the
25 opportunity and impetus needed to address often

1 longstanding problems of inadequate services and
2 the profound stigma associated with HIV-infection
3 and the AIDS disease. Strengthening the health in-
4 frastructure to improve mother-and-child health,
5 antenatal, delivery, and postnatal services, and cou-
6 ples counseling generates enormous spillover effects
7 toward combating the AIDS epidemic in developing
8 regions.

9 (11) A January 2000 United States National
10 Intelligence Estimate (NIE) report on the global in-
11 fectious disease threat concluded that the economic
12 costs of infectious diseases—especially HIV/AIDS—
13 are already significant and could reduce GDP by as
14 much as 20 percent or more by 2010 in some sub-
15 Saharan African nations.

16 (12) The HIV/AIDS epidemic is of increasing
17 concern in other regions of the world, with UNAIDS
18 estimating that there are more than 5,800,000 cases
19 in South and Southeast Asia, that the rate of HIV
20 infection in the Caribbean is second only to sub-Sa-
21 haran Africa, and that HIV infections have doubled
22 in just 2 years in the former Soviet Union.

23 (13) Russia is the new “hot spot” for the pan-
24 demic and more Russians are expected to be diag-

1 nosed with HIV/AIDS by the end of 2001 than all
2 cases from previous years combined.

3 (14) Despite the discouraging statistics on the
4 spread of HIV/AIDS, some developing nations—
5 such as Uganda, Senegal, and Thailand—have im-
6 plemented prevention programs that have substan-
7 tially curbed the rate of HIV infection.

8 (15) Accordingly, United States financial sup-
9 port for medical research, education, and disease
10 containment as a global strategy has beneficial rami-
11 fications for millions of Americans and their families
12 who are affected by this disease, and the entire pop-
13 ulation, which is potentially susceptible.

14 (b) PURPOSES.—The purposes of this Act are to—

15 (1) help prevent human suffering through the
16 prevention, diagnosis, and treatment of HIV/AIDS;
17 and

18 (2) help ensure the viability of economic devel-
19 opment, stability, and national security in the devel-
20 oping world by advancing research to—

21 (A) understand the causes associated with
22 HIV/AIDS in developing countries; and

23 (B) assist in the development of an AIDS
24 vaccine.

1 **SEC. 4. ADDITIONAL ASSISTANCE AUTHORITIES TO COM-**
2 **BAT HIV AND AIDS.**

3 Paragraphs (4) through (6) of section 104(c) of the
4 Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) are
5 amended to read as follows:

6 “(4)(A) Congress recognizes the growing inter-
7 national dilemma of children with the human im-
8 munodeficiency virus (HIV) and the merits of inter-
9 vention programs aimed at this problem. Congress
10 further recognizes that mother-to-child transmission
11 prevention strategies can serve as a major force for
12 change in developing regions, and it is, therefore, a
13 major objective of the foreign assistance program to
14 control the acquired immune deficiency syndrome
15 (AIDS) epidemic.

16 “(B) The agency primarily responsible for ad-
17 ministering this part shall—

18 “(i) coordinate with UNAIDS, UNICEF,
19 WHO, national and local governments, other
20 organizations, and other Federal agencies to de-
21 velop and implement effective strategies to pre-
22 vent vertical transmission of HIV; and

23 “(ii) coordinate with those organizations to
24 increase intervention programs and introduce
25 voluntary counseling and testing, antiretroviral

1 drugs, replacement feeding, and other strate-
2 gies.

3 “(5)(A) Congress expects the agency primarily
4 responsible for administering this part to make the
5 human immunodeficiency virus (HIV) and the ac-
6 quired immune deficiency syndrome (AIDS) a pri-
7 ority in the foreign assistance program and to un-
8 dertake a comprehensive, coordinated effort to com-
9 bat HIV and AIDS.

10 “(B) Assistance described in subparagraph (A)
11 shall include help providing—

12 “(i) primary prevention and education;

13 “(ii) voluntary testing and counseling;

14 “(iii) medications to prevent the trans-
15 mission of HIV from mother to child;

16 “(iv) programs to strengthen and broaden
17 health care systems infrastructure and the ca-
18 pacity of health care systems in developing
19 countries to deliver HIV/AIDS pharmaceuticals,
20 prevention, and treatment to those afflicted
21 with HIV/AIDS; and

22 “(v) care for those living with HIV or
23 AIDS.

24 “(6)(A) In addition to amounts otherwise avail-
25 able for such purpose, there is authorized to be ap-

1 appropriated to the President \$600,000,000 for each
2 of the fiscal years 2002 and 2003 to carry out para-
3 graphs (4) and (5).

4 “(B) Of the funds authorized to be appro-
5 priated under subparagraph (A), not less than 65
6 percent is authorized to be available through United
7 States and foreign nongovernmental organizations,
8 including private and voluntary organizations, for-
9 profit organizations, religious affiliated organiza-
10 tions, educational institutions, and research facili-
11 ties.

12 “(C)(i) Of the funds authorized to be appro-
13 priated by subparagraph (A), priority should be
14 given to programs that address the support and edu-
15 cation of orphans in sub-Saharan Africa, including
16 AIDS orphans and prevention strategies for vertical
17 transmission referred to in paragraph (4)(A).

18 “(ii) Assistance made available under this sub-
19 section, and assistance made available under chapter
20 4 of part II to carry out the purposes of this sub-
21 section, may be made available notwithstanding any
22 other provision of law that restricts assistance to
23 foreign countries.

24 “(D) Of the funds authorized to be appro-
25 priated by subparagraph (A), not more than 7 per-

1 cent may be used for the administrative expenses of
2 the agency primarily responsible for carrying out
3 this part of this Act in support of activities de-
4 scribed in paragraphs (4) and (5).

5 “(E) Funds appropriated under this paragraph
6 are authorized to remain available until expended.”.

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